

### **REMARKS/ARGUMENTS**

Applicant received the Office Action dated July 17, 2006, in which the Examiner: 1) rejected claims 17-20 under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, as being indefinite; 2) rejected claims 1, 5, 7-9 and 15-20 under 35 U.S.C. § 103(a) as obvious over Cooper et al. (U.S. Pat. No. 5,805,882, hereinafter "Cooper") in view of Kedem et al. (U.S. Pat. No. 6,477,624, hereinafter "Kedem"); 3) objected to claims 2 and 6 as being dependent upon a rejected base claim, but otherwise allowable; and 4) allowed claims 10-14. With this Response, Applicant amends claims 1, 3, 5, 15, 17 and 18, and cancels claims 2 and 6. Based on the amendments and arguments contained herein, Applicant believes this case is in condition for allowance.

In his indefiniteness rejection of claims 17-20, the Examiner indicated that the use of the term "permitting" did not properly define the scope of the claims. Applicant has amended claims 17 and 18 by removing the term "permitting" from these claims. Claim 17, as amended, refers to "selectively causing" BIOS code to be executed, and claim 18, as amended, refers to "causing" executable software to be executed. Applicant respectfully submits that claims 17 and 18 as amended, and those claims that depend upon them, are no longer indefinite. Applicant thus respectfully requests that the Examiner withdraw his § 112, second paragraph, rejection of claims 17-20.

In his objection to dependent claims 2 and 6, the Examiner indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In accordance with the Examiner's suggestion, Applicant has incorporated the limitations of dependent claim 2 into independent claim 1, and also has incorporated the limitations of dependent claim 6 into independent claim 5. Applicant respectfully submits that, based on the Examiner's reasons for concluding claims 2 and 6 to be allowable, independent claims 1 and 5, as well as those claims that depend upon them, are allowable over Cooper in view of Kedem.

The Examiner further rejected independent claims 15 and 18 as also being obvious over Cooper in view of Kedem for reasons analogous to those given

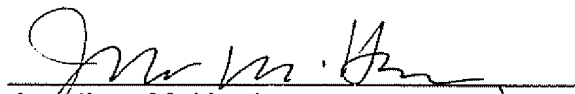
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**Amdt. dated September 27, 2006**  
**Reply to Office Action of July 17, 2006**

regarding the rejection of independent claims 1 and 5. Applicant has amended claims 15 and 18 to incorporate limitations similar to those of claims 2 and 6. For at least the reasons the Examiner concluded claims 2 and 6 to be allowable, Applicant respectfully submits that independent claims 15 and 18 as amended, as well as those claims that depend upon them, are in condition for allowance.

### **CONCLUSION**

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

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